



PATENT

In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT: Vikkie A. Mustad, et al	EXAMINER: Not yet assigned ART UNIT: Not yet assigned DOCKET NO.: 7119US01
SERIAL NO.: 10/656,662	I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Commissioner for Patents, Alexandria, VA, on the date shown below. <i>Wendy Detwiler</i> 11-20-03 Wendy Detwiler Date
FILED: Sept. 5, 2003	
TITLE: LIPID SYSTEM AND METHOD OF USE	

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed herewith is a Information Disclosure Statement and Form 1449 for the above-referenced patent application.
Also enclosed are:

Twenty-six (26) references
One (1) return postcard

If any fees are owed, or any credit is due pertaining to this case; please charge that fee or apply that credit to Deposit Account No. 01-0025.

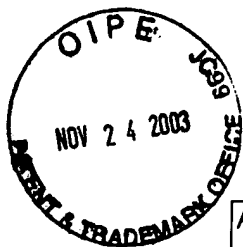
Respectfully submitted,

Ross Products Division of
ABBOTT LABORATORIES
Department 108140/DS1
625 Cleveland Avenue
Columbus, OHIO 43215-1724

Nickki L. Parlet
by Nickki L. Parlet
Reg. No. 44,996

Telephone: 614/624-3012
Facsimile: 614/624-3074

Docket: 7119US01



PATENT

In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT: Vikkie A. Mustad, et al.	EXAMINER: Not yet assigned
SERIAL NO.: 10/656,662	ART UNIT: Not yet assigned
FILING DATE: Sept. 5, 2003	DOCKET NO.: 7119US01
TITLE: LIPID SYSTEM AND METHOD OF USE	I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on the date shown below.
	<i>Wendy Detwiler</i> 11-20-03 Wendy Detwiler Date

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their duty of disclosure under 37 C.F.R. §1.56, and as authorized and encouraged under 37 C.F.R. §§ 1.97-1.98 and the provisions of MPEP §§ 609 and 707.05(b), Applicants submit herewith certain patent documents, publications and/or other information ("references") which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. The identification of any reference herein is not intended to be and should not be understood as being an admission that such reference necessarily constitutes "prior art" within the meaning of applicable law.

The cited references are listed on attached form PTO-1449.

- ☒ A copy of each cited reference is provided;
- ☐ Copies of cited references are not provided because each has previously been made of record in the parent application, or is otherwise known to be in the Examiner's possession.

The Examiner is requested to review and evaluate each cited reference to make an independent assessment of the materiality of each, if any, to the examination of the above-identified application. The Examiner is requested to ignore any underscoring or highlighting which may have been done because such markings may or may not have any relationship to the subject matter of the present invention. The copies being submitted with this Statement are the best copies available at this time. Applicants respectfully request that (1) the references cited herein be made of record; (2) that the Examiner acknowledge his consideration of each reference by initialing and returning the enclosed copy of the PTO-1449 form; and (3) that such references appear on the printed patent as having been considered on the record.

With regard to payment of a fee:

- ☐ ☒ No fee is due because:
- ☐ ☒ This Statement is mailed within three months of the filing date of this application, or before the mailing date of a first office action on the merits (see 37 C.F.R. §1.97(b)).
- ☐ ☐ Applicants certify that each reference cited in this Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. (see 37 C.F.R. §1.97(e)).
- ☐ ☐ This Statement is filed after the mailing date of a first Office Action on the merits but before the mailing date of either a final action or a Notice of Allowance (see 37 C.F.R. §1.97(c)) so a fee of **\$180.00** is specified by 37 C.F.R. §1.17(p).

If any fees are owed, or any credit is due pertaining to this case, please charge that fee or apply that credit to Deposit Account No. 01-0025.

Ross Products Division of
ABBOTT LABORATORIES
Dept. 108140-DS/1
625 Cleveland Avenue
Columbus, OHIO 43215-1724

Telephone: (614) 624-3012
Facsimile: (614) 624-3074

Docket : 7119US01

Respectfully submitted,


by Nickki L. Parlet
Reg. No. 44,996



FORM PTO-1449 (Modified)
U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

(37 CFR 1.98(b))

Atty Docket No.: 7119US01

LIPID SYSTEM AND METHOD OF USE

Serial No.: 10/656,662

Applicant(s): Vikkie A. Mustad, et al

Filing Date: Sept. 5, 2003

Group: Not yet assigned

U.S. PATENT DOCUMENTS

Exam. Init.	Patent Number	Issue/Publication Date	Patentee	Class	Subclass	Filing Date
	6,468,987	Oct. 22, 2002	DeMichele et al.			
	6,140,304	Oct. 31, 2000	Sears			
	5,952,314	Sep. 14, 1999	DeMichele et al.			
	5,922,704	Jul. 13, 1999	Bland			
	5,922,345	Jul. 13, 1999	Horrobin et al.			
	5,895,652	Apr. 20, 1999	Giampapa			
	5,780,451	Jul. 14, 1998	DeMichele et al.			
	5,763,484	Jun. 9, 1998	Horrobin			
	5,698,594	Dec. 16, 1997	Breivik et al.			
	5,656,667	Aug. 12, 1997	Breivik et al.			
	5,502,077	Mar. 26, 1996	Breivik et al.			
	5,308,832	May 3, 1994	Garleb et al.			
	5,059,622	Oct. 22, 1991	Sears			
	4,921,877	May 1, 1990	Cashmere et al.			
	4,526,902	Jul. 2, 1985	Rubin			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Exam. Init.	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation
	WO 99/62359	Dec. 9, 1999	WIPO			N/A
	JP8198749	Aug. 6, 1996	Japan Patent Office			Y abstract
	EP0937408	Aug. 25, 1993	European Patent Office			Y abstract
	GB2223943	Mar. 25, 1990	United Kingdom			N/A

OTHER DOCUMENTS (Including Author, Title, Date, Relevant pages, Place of Publication***)**

	Kato et al., <u>Effect of Alpha-Linolenic Acid on Blood Glucose, Insulin and GLUT4 Protein Content of Type 2 Diabetic Mice</u> , <i>Journal of Health Science</i> 46, 489-492 (2000).
	Hun et al., <u>Increased Uncoupling Protein2 mRNA in White Adipose Tissue, and Decrease in Leptin, Visceral Fat, Blood Glucose, and Cholesterol in KK-A^y Mice Fed with Eicosapentaenoic and Docosahexaenoic Acids in Addition to Linolenic Acid</u> , <i>Biochemical and Biophysical Research Communications</i> 259, 85-90 (1999).
	McManus et al., <u>A Comparison of the Effects Of n-3 Fatty Acids from Linseed Oil and Fish Oil in Well-Controlled Type II Diabetes</u> , <i>Diabetes Care</i> 19, 463-467 (1996).
	Goh et al., <u>Effect of ω3 Fatty Acid on Plasma Lipids, Cholesterol and Lipoprotein Fatty Acid Content in NIDDM Patients</u> , <i>Diabetologia</i> 40, 45-52 (1997).
	Nestel et al., <u>Aterial Compliance in Obese Subjects is Improved with Dietary Plant n-3 Fatty Acid from Flaxseed Oil Despite Increased LDL Oxidizability, Arteriosclerosis, Thrombosis, and Vascular Biology</u> 17, 1163-1170 (1996).
	Simopoulos, <u>Essential Fatty Acids in Health and Chronic Disease</u> , <i>Am. J. Clin. Nutr.</i> 70 (suppl.), 560S-569S (1999).
	Siguel, <u>Deficiencies and Abnormalities of Essential Fats in Gastrointestinal and Corinary Artery Disease</u> , <i>J. Clin. Ligand Assay</i> 23, 104-111 (2000).



Examiner	Date Considered
EXAMINER: Initial citation considered . Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	